

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:17-cv-00001-MR-DLH**

**BRYAN CURRY, TERRAN BROOKS,
JERMAINE WILLIS, and BRYAN
HOPPER on behalf of themselves
and all others otherwise similarly
situated,**

Plaintiffs,

vs.

SCHLETTER, INC.,

Defendant.

ORDER

THIS MATTER is before the Court on the Defendant's Notice of Pendency of Bankruptcy and Request for Stay of Proceedings [Doc. 38].

The Defendant has filed a notice with the Court that it has filed a bankruptcy case under Chapter 11 of the United States Bankruptcy Code. It is well-settled that "[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically." 3 Collier on Bankruptcy ¶ 362.03[3] (16th ed. 2011); see also 11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of "the commencement or continuation . . . of a judicial, administrative, or

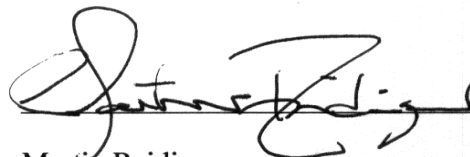
other action or proceeding against the debtor”). Accordingly, the Court will stay this action pending the Defendant’s bankruptcy proceedings.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant’s Request [Doc. 38] is **GRANTED**, and this action is hereby **STAYED** until further Order of the Court.

IT IS FURTHER ORDERED that the parties shall file a status report with the Court every ninety (90) days until such time as the bankruptcy matter is closed.

IT IS SO ORDERED.

Signed: May 15, 2018


Martin Reidinger
United States District Judge

